

SENATE BILL 214

P1, P5, P3

0lr0362

By: **Senators Frosh and Madaleno**

Introduced and read first time: January 21, 2010

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Notaries Public – Application – Recommendation and Approval**

3 FOR the purpose of requiring the Secretary of State to review the qualifications of
4 certain applicants to be notaries public; requiring the Secretary to make certain
5 recommendations regarding certain qualifications to certain legislators;
6 repealing the requirement that certain legislators approve certain applications;
7 and generally relating to applicants to be notaries public.

8 BY repealing and reenacting, with amendments,
9 Article – State Government
10 Section 18–101
11 Annotated Code of Maryland
12 (2009 Replacement Volume)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article – State Government**

16 18–101.

17 (a) **THE SECRETARY OF STATE SHALL:**

18 **(1) REVIEW THE QUALIFICATIONS OF APPLICANTS TO BE**
19 **NOTARIES PUBLIC; AND**

20 **(2) MAKE RECOMMENDATIONS REGARDING THE SUFFICIENCY OF**
21 **THE QUALIFICATIONS OF AN APPLICANT TO:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(I) A SENATOR REPRESENTING THE SENATORIAL DISTRICT**
2 **AND SUBDISTRICT IN WHICH THE APPLICANT RESIDES; OR**

3 **(II) IF THE SENATORIAL OFFICE REPRESENTING THE**
4 **SENATORIAL DISTRICT AND SUBDISTRICT IN WHICH THE APPLICANT RESIDES IS**
5 **VACANT, ANY SENATOR.**

6 **(B)** The Governor, on approval of the application **OF AN INDIVIDUAL TO BE**
7 **A NOTARY PUBLIC** by a Senator [representing the senatorial district and subdistrict
8 in which the applicant resides or on approval by any Senator if the senatorial office
9 representing the senatorial district and subdistrict in which the applicant resides is
10 vacant], may appoint and commission individuals as notaries public as provided in
11 this title.

12 **[(b)] (C)** (1) The Governor, on approval of the application by the
13 Secretary of State [and a member of the Senate of Maryland], shall appoint and
14 commission out-of-state individuals as notaries public as provided in this title.

15 (2) An out-of-state notary shall be deemed to have irrevocably
16 appointed the Secretary of State as the notary's agent upon whom may be served any
17 summons, subpoena, subpoena duces tecum, or other process.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2010.